

# **EVANS DECLARATION EXHIBIT 4**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

ANDREA TANTAROS,

*Plaintiff,*

-- against --

FOX NEWS NETWORK, LLC, ROGER AILES,  
WILLIAM SHINE, DIANNE BRANDI,  
IRENA BRIGANTI, and SUZANNE SCOTT,

*Defendants.*

IAS Part 58

Hon. David B. Cohen

Index No. 157054/2016

**NOTICE OF APPEAL**

**PLEASE TAKE NOTICE** that pursuant to § 5701 of the New York Civil Practice Law and Rules, and §§ 600.4(a)(1) and (5) of the Rules of the Appellate Division, First Department, Plaintiff-Appellant Andrea Tantaros (“Plaintiff”) hereby appeals to the Appellate Division of the Supreme Court for the First Judicial Department, from the annexed Amended Orders of the Supreme Court of the State of New York, County of New York, Hon. David B. Cohen, J.S.C., issued on February 15, 2017, entered by the Clerk of Court on March 23, 2017, and served with Notice of Entry on March 23, 2017 (Motion Seq. Nos. 3 & 4).

Plaintiff appeals from each and every part of the Orders.

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Dated: New York, New York  
March 24, 2017

Respectfully submitted,

JUDD BURSTEIN, P.C.,

By: \_\_\_\_\_

Judd Burstein

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Dianne Brandi, Irena Briganti,  
and Suzanne Scott*

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*Attorneys for Defendant Roger Ailes*

# SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

**PRESENT:** COHEN, DAVID BENJAMIN  
*Justice*

**PART** 58

*Amended Order*

TANTAROS, ANDREA

**INDEX NO.** 157054/2016

**MOTION DATE** \_\_\_\_\_

- v -

FOX NEWS NETWORK, LLC

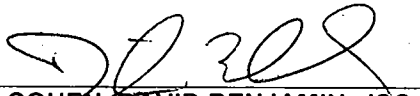
**MOTION SEQ. NO.** 003

The following papers, numbered 1 to _____, were read on this application to/for	
Notice of Motion/ Petition/ OSC - Affidavits - Exhibits .....	No(s) <u>1</u>
Answering Affidavits - Exhibits .....	No(s) <u>2</u>
Replying .....	No(s) <u>3</u>

**Upon the foregoing papers, it is**

Motion granted for the reasons stated on the record. Matter disposed and may be restored as permitted per CPLR 7503(a).

**DATE :** 2/15/2017

  
COHEN, DAVID BENJAMIN, JSC

**DATE :** 3/20/2017

COHEN, DAVID BENJAMIN , JSC

- |   |  |
|---|--|
| <p>1. CHECK ONE : <input checked="" type="checkbox"/> CASE DISPOSED</p> <p>2. APPLICATION : <input checked="" type="checkbox"/> GRANTED <input type="checkbox"/> DENIED</p> <p>3. CHECK IF APPROPRIATE : <input type="checkbox"/> SETTLE ORDER</p> <p style="margin-left: 20px;"><input type="checkbox"/> DO NOT POST</p> | <p><input type="checkbox"/> NON-FINAL DISPOSITION</p> <p><input type="checkbox"/> GRANTED IN PART <input type="checkbox"/> OTHER</p> <p><input type="checkbox"/> SUBMIT ORDER</p> <p><input type="checkbox"/> FIDUCIARY APPOINTMENT <input type="checkbox"/> REFERENCE</p> |
|---|--|

# SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

PRESENT: COHEN, DAVID BENJAMINPART 58JusticeAmended OrderTANTAROS, ANDREAINDEX NO. 157054/2016

MOTION DATE \_\_\_\_\_

- v -

FOX NEWS NETWORK, LLCMOTION SEQ. NO. 004

The following papers, numbered 1 to \_\_\_\_\_, were read on this application to/for

Notice of Motion/ Petition/ OSC - Affidavits - Exhibits

No(s) 1

Answering Affidavits - Exhibits

No(s) 2

Replying

No(s) 3

Upon the foregoing papers, it is

Motion granted for the reasons stated on the record. Matter disposed and may be restored as permitted per CPLR 7503(a).

DATE : 2/15/2017

COHEN, DAVID BENJAMIN, JSCDATE : 3/20/2017COHEN, DAVID BENJAMIN, JSC1. CHECK ONE : ☒ CASE DISPOSED☐ NON-FINAL DISPOSITION2. APPLICATION : ☒ GRANTED ☐ DENIED☐ GRANTED IN PART ☐ OTHER3. CHECK IF APPROPRIATE : ☐ SETTLE ORDER☐ SUBMIT ORDER☐ DO NOT POST☐ FIDUCIARY APPOINTMENT ☐ REFERENCE